

GARDNER GETS 25 YEARS FOR UNSUCCESSFUL MAIL ROBBERY

PHOENIX, Dec. 12.—Withdrawing his plea of "not guilty by reason of insanity," Roy Gardner, twice convicted of mail robberies, today pleaded guilty in the United States district court here to another charge of having attempted to rob a mail car here, and received his third sentence of 25 years in a federal penitentiary. Gardner has now been sentenced to serve a total of 75 years in federal prisons.

In sentencing Gardner, however, Judge William H. Sawtelle told him that this sentence did not mean that he would have to spend 75 years in prison. "How long you stay there depends entirely upon your own conduct," the judge said.

Hope that Gardner would change his attitude toward the laws and government and become a good citizen "both for your own sake and for the sake of your wife, who has stood by you in this case, thus demonstrating her love for and loyalty to you," was expressed by Judge Sawtelle. Mrs. Gardner was beside Gardner as sentence was pronounced.

Maricopa Case Dismissed.

As soon as sentence was pronounced, Thomas A. Flynn, United States district attorney, moved that the charge of robbing a mail car at Maricopa, Ariz., on November 3 be dismissed and the court ordered that that charge be tried last week. He admitted committing the robbery, but claimed he was insane at the time. The jury which heard the case was unable to agree on a verdict.

COCHISE LEGISLATOR RESIGNS OFFICE.

M. C. Hankins, clerk of the board of supervisors, today received a communication bearing the resignation of Dunn T. Milner, republican member of the lower house, from the 6th district.

The reason given by the retiring legislator is that press of personal business obligations makes it necessary for him to resign, as he would be unable to give his office the necessary attention, especially during the coming special session scheduled for January.

The law provides that appointment to fill the vacancy shall be made by the board of supervisors and it is expected this will be made at the next meeting of the board to be held here next week.

Although Cochise has a democratic board, it must appoint a man of the same political faith to fill the vacancy, and as Mr. Milner was a Republican, a member of that party will be appointed to the place held by Mr. Milner.

Just who is slated for the place is not known here, although it is known that the retiring solon was not fully in accord with the policies of the administration, and whether or not he appraised the "powers that be" of his intention to quit in order to give them time to make a new selection, or whether there will now be a last minute scramble of the Cochise republican central committee to find a man that will harmonize with the machine, is problematical, according to those here in touch with the situation.

Again, just whether the supervisors will heed the wishes of the republicans, or appoint a man who will follow Milner's stand against the machine, is a problem confronting the central committee, it was pointed out by a prominent politician here today.

ARMY TRUCK OVERTURNS.

An army Dodge light truck overturned on the Tombstone-Bisbee highway this afternoon about 3 miles east of Tombstone, when the steering gear broke. County Recorder H. L. Hutchison, who was returning from Bisbee was the first man on the scene following the accident, arriving shortly after the colored soldier who was driving, had extricated himself from under the wreckage. Outside of a few bruises the driver was uninjured while the truck was turned completely bottom side up, having rolled down an eight-foot embankment. "I almost shook hands with St. Peter that time," the negro soldier told Mr. Hutchison when he stopped to view

the wreck, "but I guess my time isn't up yet." The truck was one of a detachment enroute from Columbus, N. M., to Tucson, and was the last one of the train.

RECLAMATION CHIEF ADVISES THAT GOVERNMENT BUILD BIG DAM AT BOULDER CANYON SITE

SAN DIEGO, Cal., Dec. 12.—Construction of a dam at Boulder Canyon, in the Lower Colorado river by the United States, solely and maintaining control in perpetuity, was recommended to Secretary of the Interior Albert B. Fall here today by Arthur P. Davis, director of the United States reclamation service. This was announced by Director Davis at the opening of a hearing here called by President Harding to hear protests against a preliminary report by the director that construction be started under funds provided by states, counties, municipalities and other interests under a commission of three, he had no interests in the states involved.

The Cochella Valley, California, people had protested to Secretary Fall against the original plans for development by the public interests of the west. As a result of this and other protests, the hearing was set here. Announcement that government construction of the dam was favored now by the director changed the status of the hearing.

Director Davis announced that as a primary condition to any construction work by any one, he was in favor of the principle that "the United States, in providing storage and further development, should not prejudice the carrying out of the uses of water in the upper basin of the Colorado." He assured representatives of the upper states that he urged that no irrigation uses of water in the upper states should be thwarted by construction work in the lower Colorado.

"I believe that there is a good fighting chance to get congress to give the necessary funds for construction of the dam by the United States," the director said.

Hearing from representatives of the Imperial Valley, other parts of southern California and from several southwestern states then proceeded.

COUNTIES SEND IN THEIR 1920 TAXES

PHOENIX, Dec. 12.—Three of the 14 counties in the state have paid in full the first half of the 1920 taxes, according to the announcement made yesterday by George Richard, deputy state treasurer. Gila county, which paid \$100,000 in advance taxes some time ago that the University of Arizona might benefit by the payment, yesterday forwarded the balance due of \$388,000. Greenlee county sent \$119,000, not having paid any advance, and Pinal county was credited with payment in full when its check in the amount of \$204,000 was received.

"We are expecting remittances from the different counties within the next three days which will be apportioned to all the funds," said Mr. Richard. "As soon as we are able to make the apportionment, which will require a day or two, we will issue a call for all outstanding warrants that we have sufficient funds to pay."

At present the outstanding registered warrants against the state total more than \$1,000,000, the greater amount of which must be paid out of the general fund.

YOUNG BANK CLERK SHOT IN QUARREL EARLY TODAY

NOGALES, Ariz., Dec. 12.—Enrique Mejia, a former attache of the Mexican consulate in this city shot and slightly wounded Alfonso Aviles, an employ of the Sonora Bank, while the two young men were quarreling near the Plaza in Nogales, Sonora, at an early hour this morning.

It is said that there were no witnesses to the affair. The bullet fired from an automatic revolver struck Aviles in the right leg above the knee, causing a slight flesh wound. Mejia was arrested by Mexican police and placed in the city jail at Nogales, Sonora.

According to several persons who saw the two men shortly before the shooting, Mejia was said to be in a quarrelsome mood and Aviles resented remarks that he made.

CATTLE SITUATION IMPROVING, SAYS STATE BOARD HEAD

PHOENIX, Dec. 12.—With a number of big cattle shipments made during the month of November and from 6,000 to 8,000 head contracted for December shipments, the cattle situation in Cochise county is improving steadily, according to Frank P. Moore, of Douglas, chairman of the live stock sanitary board, who was in Phoenix for a board meeting yesterday.

Mr. Moore said that while prices were not normal, indications point toward normal in a short time. By spring, he believes, there will be a notable advance in price. In recent sales calves brought from \$12 to \$15, while steers sold for from \$20 to \$25, Mr. Moore reported.

"Johnson and Cook, of Wilcox, among the leading cattlemen in the state, bought in large numbers from Huachuca as far east as Clifton," said Mr. Moore. "The cattle was not bought for immediate sale but the fact that such prominent cattle growers have bought for the future is indication of the faith of experts in the industry. The cattle has been turned loose on the company's range in the lower San Pedro."

"More cause for optimism in Cochise county is based on the report that the mines and smelters will reopen the first of February. While mine owners have not given out this information neither have they denied it," Mr. Moore said.

The live stock sanitary board failed to complete all its business yesterday and an all-day session will be held today, when further attention will be given to the routine matters to be considered. The entire board membership is here.

ONE PARDON AND 6 PAROLES GRANTED BY PRISON BOARD

PHOENIX, Dec. 12.—After considering 135 applications during its meeting last Friday and Saturday, the state board of pardons and paroles granted but one pardon. Because of a recent decision of the board to withhold names of those pardoned or paroled in order that the publicity might not react upon the released prisoner, the identity of the pardoned man was not revealed. He is described as an old man who has lived up to all the requirements of a parole during the past two years.

In addition to the pardon six paroles were granted by the board. 12 were released from the penitentiary after having served their minimum sentences, one sentence was commuted, two paroles were revoked and two Mexicans were deported from the country.

Paroles were granted only to first offenders. All six of them were young men who had shown good records up until the date of the commitment of the crime for which they were convicted. Those who were released after serving minimum sentences had exceptionally high records at the penal institution.

NO DECISION YET IN RATE REVISION CASE

PHOENIX, Dec. 10.—The state corporation commission today conducted a hearing regarding proposed revision of rates of the Tucson Gas & Electric Co. Ben Hill represented the city of Tucson at the hearing, and Frank E. Curley appeared for the company. The commission has not yet announced a decision in the case.

DIES FROM OPERATION

DOUGLAS, Dec. 8.—Elmer S. (Sandy) Fugate, formerly a switchman in the employ of the El Paso and Southwestern in Douglas, and well known here, died in a hospital in San Francisco December 3 following amputation of a leg, it became known by friends in this city yesterday. Mrs. Fugate and his father-in-law, J. A. Hildebrand, will arrive Wednesday with the body. Funeral services will be held at Curley, Ames and Porter's parlors Thursday, the hour yet to be announced. Fugate was injured in Los Angeles September 29 while in the employ of the Southern Pacific. He was taken to San Francisco and on October 23 his leg was amputated after all efforts to save it had failed. Blood poisoning set in and after terrible suffering he passed away December 3rd.

ASHURST GETS MILLION FOR WAR VETERANS

WASHINGTON, Dec. 12.—Told by Senator Ashurst, Democrat of Arizona that hundreds of former service men were dying of tuberculosis "on the deserts of Arizona," where they went seeking a cure for disabilities resulting from gas attacks of the Germans, the senate tonight voted an appropriation of \$1,000,000 for additional hospitalization. The funds, which are carried in the first deficiency bill passed by the senate, would be expended by the veterans' bureau.

There are 952 former service men dying of tuberculosis on the streets of Phoenix, Arizona, Senator Ashurst declared. He had "beseeched" the senate appropriations committee, he added, to relieve the sufferings but the committee "while agreeing to an appropriation of \$1,000,000 for American participation in an exposition in Brazil," had refused.

Former service men, he exclaimed, were flocking to Arizona under the belief that the climate would aid them in recovery from tuberculosis and the effects of gassing. Present hospital facilities are overtaxed, he stated.

APPEAL TO DECIDE GAME JURISDICTION

PHOENIX, Dec. 12.—Whether the state game warden has jurisdiction in government territory will be the question decided by the supreme court, the state having appealed from the decision of the superior court of Navajo county, which returned a verdict in favor of the defendant in the "Tom Smith deer horn case."

Smith was charged with having eight deer horns in his possession out of season and the game warden's department brought action to collect \$400, the penalty for having a set being \$50, according to the statutes. Smith's defense was that he had right to possession in view of the fact that he brought a number of the deer horns into this state from Utah, while the remaining number had been secured in the Grand Canyon forest reserve. Smith's claim was that the forest supervisor had sole authority over the forest preserve, and not the state game warden.

E. P. & S. W. TO TAKE OVER ARIZONA ROAD

PHOENIX, Dec. 12.—The El Paso & Southwestern will take over the Arizona and New Mexico railroad, the corporation commission yesterday acting favorably on the application of the roads to this effect.

The A. and N. M. operated from Clifton to Hachita, N. M., a distance of 108 miles. The line was held by the commission to be the logical extension of the El Paso and Southwestern and a convenient and proper branch line of its system.

The taking over of the road, it is believed, will harmonize traffic and transportation and other business affairs of the two roads.

The A. and N. M., according to the application, has a value of \$4,500,000, for which the E. P. and S. W. will pay \$1,000,000 cash and the balance in short term notes. In addition to the purchase price approximately \$75,000 a year will be paid as interest in outstanding bonds.

UNITED VERDE WILL START WORK FEBRUARY

JEROME, Ariz., Dec. 12.—Resumption of production by the United Verde Copper company some time in February was forecast by General Manager Charles W. Clark in an interview today, a few hours after his arrival from the coast for an inspection that will keep him in the district a week.

It is possible that before Manager Clark leaves next week, his assistant, Robert E. Tally, operating head of the United Verde, will have authority to begin preparations for reopening both mine and smelter. This will mean an immediate increase in the United Verde forces and consequent benefit to the business interests of the district, which will make it easy to tide over the time that must elapse before actual resumption.

Though naturally unwilling to say anything that might arouse false hopes on the part of the people of the district,

METEOR FALLS WEST OF CITY; LIGHTS UP SKY OVER A MINUTE

TUSDEN, Dec. 12.—Many local residents going home from work last evening about 6:35 o'clock witnessed a very large meteor display. A large ball of fire was noticed descending from the heavens. After traveling about half way to the horizon in the west it broke into hundreds of pieces and colored balls of fire flew in all directions, but soon faded out of sight.

For about 10 minutes after the meteor had exploded there was a long string of smoke, that had a yellow tinge, which gradually floated off toward the north.

Those who saw the meteor were of the opinion that it fell in the direction of Tombstone, but parties coming over from Tombstone at that time, stated that it appeared to fall between the Huachuca and Santa Rita mountains.

SOLDIER ON DUTY WITHIN STATE IS NOT RESIDENT

PHOENIX, Ariz., Dec. 10.—A soldier does not become a resident of the state as a result of being stationed within the state, according to an opinion rendered today by the attorney general's office in response to a query as to whether or not a soldier is a resident as contemplated by the divorce laws.

"The question of residence is one of jurisdiction to be decided by the court where the soldier applies for divorce," the opinion continued.

"The mere fact of a soldier being stationed within the state," the opinion said, "does not of itself make him a resident of the state. The general rule, with reference to soldiers, is that upon enlistment or upon being drafted, they retain their residence in the state in which they had residence at the time of enlistment or being drafted. That is to say, by enlistment in the service of the United States, soldiers do not lose their residences which they had at the time of enlistment."

"We are of the opinion, however, that a soldier may voluntarily change his legal residence after enlistment by the purchase of a home, the acquiring of other property interests, marrying a citizen of this state, the soldier being under age and the parents moving to this state, etc., but such change must be of such a character as to leave in the mind of the court no doubt that the soldier is an actual bona fide citizen and legal resident of this state, and has been such for one year next preceding the time of filing his complaint."

"The question of residence is one of jurisdiction, to be decided by the court in which the soldier applies for divorce; and a judgment or decree in such action is final and beyond the control of the military or the executive, and may be avoided only by appeal or direct attack by the defendant in the case."

FOR SALE AT BARGAIN

157.92 acres of land in San Pedro valley, 49 or 50 acres tillable land under the St. David canal; sandy and clay loam; 20 acres in cultivation, mostly under fence; 3 1-2 acres with poultry wire; one artesian well flowing about four gallons per minute; one small and one large flood tank and one tank for artesian water; good three-room house. For further information apply "C.W." Prospector office.

NOTICE FOR PUBLICATION

Department of the Interior
U. S. Land Office at Phoenix, Arizona, November 26, 1921.

NOTICE is hereby given that Norton E. Siggins, of Courtland, Arizona, who, on September 15, 1921, made Homestead Entry No. 047162, for NE14, Section 19, Township 19S, Range 26E, G. & S. R. B. & Meridian, has filed notice of intention to make Three Year Proof, to establish claim to the land above described, before T. G. Emmons, U. S. Commissioner, at Courtland, Arizona, on the 7th day of January, 1922.

Claimant names as witnesses: Leslie Mattingly of Courtland, Arizona; T. P. McGinnis of Kelton, Arizona; Henry Grizzle, Mrs. Minnie Wells, both of Webb, Arizona.

JOHN R. TOWLES, Register.
First pub. December 2, 1921.

ASSIGNEE'S NOTICE TO CREDITORS

Notice is hereby given that on the 10th day of November, 1921, the Leader Furniture Company, a corporation, doing business at 827 G. avenue, Douglas, Cochise County, Arizona, executed a deed of assignment for the benefit of its creditors, to the undersigned, E. W. Graves, vice president of the First National Bank of Douglas, who was therein appointed assignee, which deed of assignment is now of record in the County recorder's office of Cochise County, Arizona; that all of the property of the said Leader Furniture Company has been transferred to the undersigned assignee upon the trusts provided by law.

Notice is hereby given that all creditors of the said assignor, the Leader Furniture Company, consenting to such assignment, shall make known to the undersigned assignee their consent in writing within four months from this 10th day of November, 1921, and notice is further given to the creditors of and all persons having claims against the said Leader Furniture Company, assignor, to exhibit and file with the undersigned assignee within six months from this 10th day of November, 1921, a distinct statement of the particular nature and amount of his claim against the said Leader Furniture Company, which shall be supported by an affidavit of the creditor, his agent or attorney, in accordance with law. The address of said assignee is Douglas, Arizona.

Dated Douglas, Arizona, this 10th day of November, 1921.

E. W. GRAVES.

Assignee of the Estate of the Leader Furniture Company.

First pub. Nov. 27, 1921.

NOTICE FOR PUBLICATION

Department of the Interior
U. S. Land Office at Phoenix, Arizona, November 12, 1921.

Notice is hereby given that James D. Lowrey, of Fairbank, Arizona, who, on July 16, 1919, made Homestead Entry, No. 042451, for lots 2, 4 and 5, Section 7, Township 21S, Range 20E, G. & S. R. B. & Meridian, has filed notice of intention to make Three Year Proof, to establish claim to the land above described, before W. A. Fowler, U. S. Commissioner, at Tombstone, Arizona, on the 22d day of December 1921.

Claimant names as witnesses: James E. Kane, Ernest J. Graf, Albert Turner, John R. Hand, all of Fairbank, Arizona.

JOHN R. TOWLES, Register.
First pub. Nov. 29, 1921.

FOR SALE

150 acres of land, all under fence and grubbed; 80 acres rabbit proof and some under cultivation; 2 gasoline engines, one 22-horse power with 6-in. centrifugal pump on it; this is on an 11-foot cemented well; have three wells in all; one 3-horse power on other well with four inch centrifugal pump; two wind mills, all kinds of farming implements, such as wagons, etc.; chickens, cows, horses and turkeys all go with place; water piped all over place and plenty of it; wells cannot be pumped dry; one 7-room adobe cement plastered house with large porch all round; everything that is needed to make a farm complete, such as milk house, barns, chicken houses, etc.; furniture included. This is one of the best places in the valley. Reason for selling, am a widow and cannot farm it myself. Mrs. Lucy Giragil, 728 17th street, Douglas, Arizona.

—Adv't

WANTED—County distributor for fast selling Ford Motor accessory. Liberal commissions and salary to right man. Must be ambitious and a good salesman. SIGNAL-SIGHT AND AUTOMATIC OIL GAUGE CO., Catalina, N. Y.

—Adv't

Catarhal Deafness Cannot Be Cured
by local applications, as they cannot reach the diseased portion of the ear. There is only one way to cure catarrhal deafness, and that is by a constitutional remedy. Catarrhal Deafness is caused by an inflamed condition of the mucous lining of the Eustachian Tube. When this tube is inflamed you have a running sound of imperfect hearing, and when it is entirely closed, Deafness is the result. Unless the inflammation can be reduced and this tube restored to its normal condition, hearing will be destroyed forever. Many cases of deafness are caused by catarrh, which is an inflamed condition of the mucous surface of the Eustachian Tube. It is not cured by local applications, but only by the blood on the mucous surface of the system.

We will give One Hundred Dollars for any case of Catarrhal Deafness that cannot be cured by Hall's Catarrh Cure. Circulars free. All Druggists. T. C. F. J. CHENEY & CO., Toledo, O.